

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO. 14-642
	)	
v.	)	
	)	
MELISSA A. DEURELING,	)	
	)	JUDGE BLOCH
Defendant, Counterclaimant	)	
and Third Party Plaintiff,	)	
	)	
v.	)	
	)	<i>(Electronically Filed)</i>
G.C. SERVICES, L.P., et al.,	)	
	)	
Third Party Defendants.	)	

**PLAINTIFF'S AND THIRD PARTY DEFENDANTS'  
MOTION TO DISMISS DEFENDANT'S COUNTERCLAIM**

AND NOW, comes Plaintiff, United States of America, and Third Party Defendants, U.S. Department of Justice, U.S. Department of Treasury and U.S. Department of Education, through their attorneys, David J. Hickton, United States Attorney for the Western District of Pennsylvania, and Michael C. Colville, Assistant United States Attorney for said district, and, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, respectfully move the Court to issue an Order dismissing the Counterclaim of Defendant, with prejudice. A Memorandum of Law in support of this Motion together with an attachment are being filed simultaneously herewith and the contents therein incorporated by reference.

WHEREFORE, Plaintiff, United States of America, and Third Party Defendants, U.S. Department of Justice, U.S. Department of Treasury and U.S. Department of Education, respectfully request that the Court issue an Order dismissing the Counterclaim of Defendant, with prejudice.

Respectfully submitted,

DAVID J. HICKTON  
United States Attorney

/s/ Michael C. Colville  
MICHAEL C. COLVILLE  
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Western District of PA  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 21<sup>st</sup> day of September, 2015, a true and correct copy of the within PLAINTIFF'S AND THIRD PARTY DEFENDANTS' MOTION TO DISMISS DEFENDANT'S COUNTERCLAIM was served by electronic filing and/or postage paid U.S. Mail, to and upon the following:

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/s/ Michael C. Colville  
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